UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
901 NORTH 5TH STREET
KANSAS CITY, KANSAS 66101

JUN 0 8 2006

MEMORANDUM

SUBJECT: Marley Pump Co.
NCAP Rank: Low
AKA Red Jacket Pumps
AKA: Marley-Wylain Company
AKA: SPX Corporation
500 East 59th Street
Davenport, Iowa
IAD005263785

FROM: Cynthia Hutchison
ENSV/DISO

Bob Aston
ARTD/RCAP

TO: Lynn M. Slugantz
Manager, ARTD/RCAP

This memorandum recommends additional investigation and possibly remediation at Marley Pump, 500 E 59th Street, Davenport, IA. This site was given a National Corrective Action Priority (NCAP) ranking of low on January 7, 1993.

Site History: Red Jacket Pump manufactured and sold fluid power units for water systems and petroleum systems. They also manufactured and marketed leak detectors for use in dispensing petroleum products. Chromic acid rinse was generated from a three-stage wash every two weeks. The acid rinse was pumped into a tank and immediately treated and allowed to settle approximately 24 hours. The supernatant was drained to the sanitary sewer and the sludge was drummed for disposal. This sludge showed EP toxicity below regulated levels. Red Jacket had a pretreatment agreement with the city for disposal of this supernatant through the publicly owned treatment works (POTW) which exempted it from RCRA. They also generated 1,1,1 Trichloroethane (F001) and Trichloroethylene (F001) from flushing and degreasing activities.

Red Jacket initially notified EPA on June 26, 1980 that they were "not involved in handling hazardous waste." On August 15, 1980, they notified us that they generated,

treated, stored, and/or disposed of F001, F002, and D000 (toxic) hazardous waste at their Davenport, Iowa facility. On August 10, 1981, Red Jacket requested to withdraw their hazardous waste storage permit application. On October 15, 1984, EPA public noticed their intent to terminate Red Jacket/Marley Pump's interim status with the published reason being they do not treat, store, or dispose of hazardous waste at the facility. The public comment period ended on November 26, 1984. No final Notice of Termination of Interim Status was issued.

The file contains a June 18, 1987 EPA memo to the file which contains the rationale for the determination that Marley does not have interim status. It says that since they never stored hazardous waste for greater than the allowable time they were not subject to interim status requirements and a closure plan would not be necessary. It also says they were a protective filer and could be administratively removed from the universe of "TSFs." However, since Marley could not prove they did not store hazardous waste for longer than the allowable times, EPA did require them to conduct closure of their storage unit as a condition of release from interim status.

On November 13, 1987, EPA received a phone complaint from the local UAW laborer's Union president/chairman about Marley Pump. This complaint alleged on-site disposal of potentially hazardous waste in a gravel parking lot area and accumulation of greater than 200 drums of potentially hazardous waste over the past ten years. The employees' stated concern was with on-site drinking water well quality. EPA sent an information request letter to Marley who replied that they were having labor troubles and the workers were out on strike but they would continue to work on a response for EPA.

EPA issued a Complaint and a Consent Agreement and Consent Order on September 30, 1988. These documents require Marley to have financial assurance for closure and to develop and implement a closure plan.

In April 1990, a RCRA facility assessment (RFA) report was developed for Marley by Layne GeoSciences, a business related to Marley Pump. The report identified seven (7) solid waste management units (SWMUs) and had no recommendations for further action at any of them. The RFA report attempted to defer any conclusions and recommendations for the "prior containerized waste storage area" to the Closure. EPA sent a Letter of Warning (LOW) telling them it was improper to do this and that they must address it as a SWMU. They were also told to include a discussion of potential receptors. The RFA indicates what appear to be significant differences between Marley's analysis and EPA's results of the same split samples. The RFA explains this away using statistical analysis. EPA formally accepted the RFA report on January 6, 1993 though no formal release from interim status is in the file.

On March 30, 1992, EPA received a report entitled "Remediation Assessment for the TCE-Contaminated Soils at the Prior Containerized Waste Storage Site on the Red Jacket Pump Division Property of the Marley Company, Davenport, Iowa" written by Metcalf & Eddy. The risk assessment and the site investigation are summarized in this report to support the remediation conducted by Marley. Maximum soil contamination

and approximately 122 ft^3 of volume. Marley excavated contaminated soils for off-site disposal as a hazardous waste at the Highway 36 Landfill in Colorado.

Closure was public noticed on May 15, 1991, verified closed on August 8, 1991 and certified "according to plan" on July 27, 1992. An RFA was conducted by Marley Pump, dated April 30, 1990 at which time it was determined that a RCRA facility investigation (RFI) would not be necessary. The RFA indicates what appear to be significant differences between Marley's analysis and EPA's results of the same split samples. The RFA explains this away using statistical analysis. EPA formally accepted the RFA report on January 6, 1993 though no formal release from interim status is in the file.

The July 1, 1992 Final Closure Report, generated for Marley Pump by contractor Metcalf & Eddy states "the objective of the remediation was to remove soils contaminated with TCE above 50 mg/kg." It states that this is a health-based risk level based on incidental ingestion and dermal contact on a residential population. Marley installed one monitoring well and conducted eight (8) soil borings to delineate the extent of contamination.

EPA sent an inspector to Marley Pump in Davenport, Iowa to take GPS readings. The inspector reported that, on October 28, 2004, the business location was vacant. Marley Pump had been acquired by SPX Corporation.

On April 19, 2005, EPA received a complaint of elevated TCE levels in well samples. The levels are allegedly as high as 43 mg/l. The maximum contaminant level (MCL) for TCE in drinking water sources is 0.005 mg/l. This surface aquifer does not constitute a source of drinking water. The complainant states the location is now occupied by SPX Corporation, 13515 Ballantyne Corporate Place, Charlotte, NC 28277. He further alleged the property experienced clean up work under the Iowa Land Recycling Program (LRP) and received a "no further action required" certificate.

I called Matt Culp of the Iowa Department of Natural Resources (IDNR) LRP. He faxed the three page "certificate" issued to SPX and pages from the 1998 facility assessment completed by Marley to support the certificate. It states:

> "Shallow groundwater is contaminated with chlorinated solvents on the subject property (within the glacial till) in excess of the LRP statewide standards. The shallow groundwater does not have adequate yield to serve as an aquifer and contamination is contained within the till and does not extend to the deeper bedrock aquifer because of an intervening impermeable geologic deposit."

Groundwater at the site was found at 10 to 19.5 feet below the surface. The soil removed from the site for RCRA closure was to a depth of four feet. The aquifer that was used to supply the facility's industrial and drinking water was at approximately 240 feet below the surface and was cased entirely in steel. It has not been affected by the contaminants.

The report also states that though the extent of the contaminant plume has not been fully defined, the contaminants appear to be migrating off site in a southwesterly direction.

On May 24, 2005, I left a message for Matt Culp to call me about getting a copy of the "preliminary assessment" (PA) report. He told me the TCE trigger level for a protected aquifer under the LRP program is 5 ppb. The level for a non-protected aquifer is 350 ppb. These are general levels that apply across the state. Occasionally, they have specific levels that are higher but only when they are substantiated by the facility and based on site specific factors. Matt agreed to send copies of two reports: the PA report and the LRP study done to support the certificate.

I spoke to Robin Husman of Delta Environmental in Iowa on June 2, 2005. She did the study for SPX, new owner of the site. She was going to check with her client over whether she could share the report. I told her this was purely random in that I was reviewing old RCRA closed sites to determine if I could take them off of our list of those subject to corrective action. She told me they found the TCE plume as a result of monitoring for a leaking underground storage tank (LUST) cleanup. Monitoring well #3 showed 30 mg/l of TCE at all saturated levels of its 15' to 18' depth. They subsequently installed another well adjacent to this one in 2003. This well showed contamination throughout its 28' depth. These are cased wells according to Ms. Husman. The location of these two wells is at the west corner of the lot, adjacent to the petroleum underground storage tank (UST). Robin told me they ran into an "impermeable" layer of something at 28' of depth.

On June 22, 2005, I sent an email to Robin asking about whether she had approached her client yet to allow her to send me a copy of her report. She apologized for the delay and said she would ask them now. I waited for her next update or delivery of the report. I did not receive a copy of the report.

Recommendation: Given that an UST investigation discovered a moving TCE plume, the EPA should reopen this investigation. We should review the IDNR's Land Recycling Program files, including the PA report and the LRP done by Delta Environmental for SPX to help determine extent of TCE contamination and the rate and extent of off-site migration.